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Security Council

Fifty-second Year

Provisional

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Wednesday, 12 November 1997, 1.20 p.m.
New York

President:	Mr. Qin Huasun	(China)
Members:	Chile	Mr. Larraín
	Costa Rica	Mr. Berrocal Soto
	Egypt	Mr. Elaraby
	France	Mr. Dejammet
	Guinea-Bissau	Mr. Cabral
	Japan	Mr. Owada
	Kenya	Mr. Mahugu
	Poland	Mr. Wlosowicz
	Portugal	Mr. Monteiro
	Republic of Korea	Mr. Park
	Russian Federation	Mr. Lavrov
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Mr. Gomersall
	United States of America	Mr. Richardson

Agenda

The situation between Iraq and Kuwait

97-86485 (E)

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The meeting was called to order at 1.20 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

The President (*interpretation from Chinese*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the following documents: S/1997/829, letter dated 29 October 1997 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council, transmitting the text of a letter of the same date from the Deputy Prime Minister of Iraq addressed to the President of the Security Council, and S/1997/855 and S/1997/867, letters dated 6 and 10 November 1997 from the Chargé d'affaires *ad interim* of the Permanent Mission of Iraq to the United Nations addressed to the President of the Security Council and the Secretary-General, respectively, transmitting letters of the same date from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council and to the Secretary-General, respectively; S/1997/830, S/1997/836, S/1997/837, S/1997/843, S/1997/848, S/1997/851 and S/1997/864, letters dated 30 October and 2, 3, 4, 5 and 7 November 1997, respectively, from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (b) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council; and S/1997/833, letter dated 31 October 1997 from the Secretary-General addressed to the President of the Security Council.

Members of the Council also have before them document S/1997/872, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland and the United States of America. Chile, Costa Rica, Japan, Poland, Portugal, the Republic of Korea and Sweden have joined the sponsors of the draft resolution contained in document S/1997/872.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Berrocal Soto (Costa Rica) (*interpretation from Spanish*): I should like to convey greetings to you, Sir, and to express my delegation's deep gratification at seeing you guide our work in this month of November, particularly in the context of such a delicate and serious issue as the one now before us, which puts to the test key principles of the peaceful coexistence among nations and the very provisions of the Charter.

The core of the question is not merely the issue of sanctions but the Government of Iraq's outright defiance of the international community and of the very authority of the Security Council under the provisions of the Charter of the United Nations. This is a challenge that goes beyond the purely juridical; we are facing a political challenge with unforeseeable implications.

This circumstance explains more clearly than could mere words the unanimous and undivided reaction of the Security Council. The Government of Iraq is putting to the test the jurisdiction and the legal powers of this primary organ of the United Nations, whose fundamental responsibility — and it is important to recall this at this point — is to maintain international peace and security, as stipulated very precisely and explicitly in Article 24 of the Charter.

The sanctions regime imposed on Iraq has its origin — and it is also essential to recall this today — in an absolutely unjustifiable and reprehensible war of aggression and territorial conquest against a neighbouring, bordering country that is a State Member of the United Nations. It is true that seven years have elapsed, but neither time nor the unanimous and strongly expressed censure of the international community, the sanctions regime imposed by the Security Council, nor indeed international public opinion seem to have been enough to impress on the Iraqi authorities the gravity and far-reaching implications of its past actions and current defiance.

The sole purpose of the sanctions is to impress upon the political and military authorities of Iraq that they must comply with their international commitments and that the inspection activities of the Special Commission are intended to ensure that that country cannot use, develop, build or acquire armaments having a nuclear, biological or chemical capacity. This is a fundamental point, and the one to which resolution 687 (1991) refers. On this

last point the opinion of the international community is unanimous and unswerving.

The purpose of sanctions is not to affect the capacity for economic, social and political development of the Iraqi people or of Iraqi society. My country has maintained a consistent and clear-cut position on this issue. Costa Rica takes the view that the sanctions must be carefully designed so as to fulfil a single objective — that of changing the unlawful policies of the Government of Iraq and securing its full reintegration into the international community's legal framework.

The draft resolution that we are about to adopt, on which Costa Rica will vote in favour, falls within this set of principles. It is a firm and robust yet well-balanced draft resolution. Admittedly, it expands the sanctions regime, but the new provisions are confined solely to those political and military individuals who are responsible for this latest challenge by Iraq to the international community and the Security Council.

My delegation's greatest wish is to see the Government of Iraq reintegrated into the framework of international law and state clearly and firmly its resolve to comply with all the resolutions of the Security Council, in particular resolution 661 (1990) and 687 (1991). We hope and trust that the Baghdad authorities will act accordingly.

In conclusion, I should like to express to the Secretary-General the respect and esteem that my delegation feels for him as a result of his action in sending a high-level mission to Baghdad last week. This served to strengthen the authority of the Secretariat and demonstrated once again Secretary-General Annan's devotion to peace and his unswerving dedication to the provisions of the Charter and the powers that he holds under it.

The President (*interpretation from Chinese*): I thank the representative of Costa Rica for the kind words he addressed to me.

Mr. Dahlgren (Sweden): The question before us is not only whether or not Iraq is cooperating with the United Nations Special Commission and its weapons inspectors. What we have seen is a clear refusal to abide by the decisions of the Security Council, and thereby also a challenge to the entire United Nations.

When the Council in October again demanded that Iraq comply with its obligations, Iraq shortly thereafter set out unacceptable conditions for the work of the Special Commission in the country. The Security Council swiftly demanded that Iraq rescind its decision. My Government commends the Secretary-General for his initiative, which then followed, to send a high-level mission to Baghdad to try to avert a potentially serious threat to international peace and security.

Regrettably, Iraq did not grasp that opportunity to find a solution to the crisis. Instead, it has continued to violate its obligations to cooperate fully and unconditionally with the Special Commission. In addition, it has implicitly threatened the safety of the reconnaissance aircraft operating on behalf of the Commission.

This is in flagrant violation of Iraq's obligations under relevant resolutions. It warrants a firm and clear response from the Security Council.

My delegation feels that the draft resolution before us is an appropriate response consistent with earlier Council resolutions. The measures will affect only those individuals who are responsible for, or are participating in, instances of non-compliance. Innocent Iraqi civilians will not be affected. Through diplomatic means, the Iraqi Government should now be made to understand that cooperation with the international community is in its own interest and in the interest of the Iraqi people.

It is the continuing and unanimous determination of the Security Council that Iraq's weapons of mass destruction must be eliminated. The draft resolution reflects that determination. It also underscores that full cooperation with the Special Commission and implementation of the relevant resolutions is the only way forward towards having the sanctions lifted. If Iraq wants to find an audience for its grievances, it should not challenge the international community and provoke the United Nations, but should cooperate and establish itself as a credible partner for dialogue.

The unity demonstrated in the Council today will send a clear message: that Iraq must rescind its decision and cooperate with the United Nations Special Commission fully, immediately and without conditions or restrictions. For these reasons, Sweden supports the draft resolution before us.

Mr. Monteiro (Portugal): Portugal deeply regrets this serious crisis, which was provoked by the Iraqi challenge to the authority of the Security Council. The obstacles repeatedly raised by the Iraqi authorities in the

last months to the work of the United Nations Special Commission (UNSCOM) are unacceptable. The Special Commission is an arm of the Security Council, with the duty to conduct inspections on its behalf. Challenging UNSCOM is challenging the Council is challenging the United Nations. That is intolerable.

Also intolerable is the decision announced by Iraq on 29 October and the Iraqi behaviour since then: the conditions Iraq has sought to impose on UNSCOM operations; its refusal to accept members of the Special Commission on grounds of their nationality; the removal of equipment; the threats against aircraft in the service of the United Nations.

The present draft resolution, which we have joined in sponsoring, is the logical outcome of previous decisions taken by the Council since June. Then, the Council sent a clear message of warning to the Government of Iraq by adopting unanimously resolution 1115 (1997). By that resolution the Council called upon Iraq to cooperate fully with the Special Commission or face additional sanctions.

On 29 October, the Council, once again unanimously, through the voice of its President, made a strong statement of condemnation of the decision of the Government of Iraq in attempting to dictate the terms of its cooperation with the Special Commission. The Council also warned of the serious consequences of Iraq's failure to comply immediately and fully with its obligations.

Portugal has supported all diplomatic efforts developed to make the Iraqi authorities understand the need to rescind their unacceptable decision and comply unconditionally with their obligations. We welcomed in particular the initiative taken by the Secretary-General in sending personal representatives all the way to Baghdad to try to convey this message directly to the Iraqi Government. Unfortunately, we have not seen any positive results.

This draft resolution is therefore the necessary next step. The additional sanctions foreseen are sharply targeted in order not to impose further suffering on the Iraqi population, which has made many sacrifices, or on neighbouring countries. They are designed to affect those Iraqi officials and members of the Iraqi armed forces who are responsible for Iraq's non-compliance with its obligations.

Nobody should forget why ultimately we are here, confronted with another crisis with Iraq — one more such crisis since 1990. Iraq faces sanctions imposed by the Security Council because Iraq violated international law by invading another country. The United Nations has no quarrel with the Iraqi people. Nor is it the aim of the United Nations to question Iraq's sovereignty and territorial integrity.

It is in the hands of the Government of Iraq to bring an end to these sanctions. The only way they can be lifted is through Iraq's full compliance with the resolutions of the Security Council. They can be lifted soon, provided Iraq cooperates fully, honestly and unconditionally with UNSCOM.

We hope this clear message from the Council will finally be understood in Baghdad, so that a new path of true cooperation with the Security Council will be opened. We want the Iraqi nation to regain its full role within the international community and the Iraqi people to see an end to their suffering.

Mr. Owada (Japan): Let me begin by stating the fundamental position of Japan that it is Japan's sincere wish to see Iraq immediately and unconditionally comply with all the relevant resolutions of the Security Council so that Iraq can resume normal relations with the international community. It is for this reason that Japan, after the Iraqi decision on 29 October to impose conditions on its cooperation with the United Nations Special Commission (UNSCOM), has made a series of diplomatic efforts in Tokyo, in Paris and in New York to persuade Iraq to comply fully with the relevant Security Council resolutions. But Iraq has not responded positively to these efforts by Japan.

Other countries, both within and outside the Council, as well as the Secretary-General through the dispatch of his three envoys, have also endeavoured to persuade Iraq to rescind its decision. It is most regrettable that Iraq has to this day not rescinded its decision of 29 October.

The Security Council pronounced its unequivocal and united position through the presidential statement of 29 October 1997 [S/PRST/1997/49] that the Iraqi decision of 29 October is unacceptable. It demanded that Iraq cooperate fully with UNSCOM in accordance with the relevant resolutions, and without any conditions or restrictions.

The exclusion of UNSCOM personnel of a certain nationality from field activities is totally unacceptable

from the standpoint of ensuring the effective execution of UNSCOM's mandate and in the light of Article 100 of the Charter of the United Nations. Also, Iraq's position on the aircraft operating on behalf of UNSCOM cannot be accepted. What is more, the letter dated 5 November 1997 from the Executive Chairman of UNSCOM [S/1997/851] states that Iraq had moved dual-use equipment subject to monitoring by UNSCOM without the required prior notification and had apparently tampered with UNSCOM's monitoring cameras. As indicated by the Executive Chairman of UNSCOM, Ambassador Butler, such acts might prejudice the future long-term monitoring capabilities of the Special Commission and of the International Atomic Energy Agency. This is a cause for grave concern on our part.

The Security Council must address the issue of the Iraqi decision to impose conditions on its cooperation with UNSCOM with the utmost seriousness, in particular because the issue concerns the programme of the elimination of weapons of mass destruction from Iraqi soil and directly affects peace and security in the region.

In the course of the recent repeated cases of Iraqi non-cooperation with UNSCOM, which has continued since June, Iraq has been given ample time to accept the Council's just and unequivocal demand that it cooperate immediately and unconditionally with UNSCOM. Iraq had been offered a chance to rescind its decision of 29 October when the Secretary-General dispatched three envoys to Baghdad last week.

Despite these efforts, Iraq continues to refuse to resume full cooperation with UNSCOM. Instead, Iraqi authorities are suggesting unacceptable preconditions for its resumption of cooperation with UNSCOM and for its compliance with the relevant resolutions. Such Iraqi actions are a challenge to the authority of the Security Council, as well as to the international community.

Under these circumstances, the Security Council, acting in unity and with firmness, is going to declare that this Iraqi position is unacceptable. The Council demands that the Iraqi Government cooperate immediately and unconditionally with UNSCOM.

Japan joins all the other members of the Council in support of this draft resolution.

In conclusion, Japan calls on the Government of Iraq to accede to this united voice of the international community.

Mr. Wlosowicz (Poland): The Polish delegation expresses its grave concern that, instead of adhering to the decisions of the Security Council contained in its resolutions 1115 (1997) and 1134 (1997), the Government of Iraq has chosen to impose conditions on its cooperation with the United Nations Special Commission (UNSCOM), thus posing a challenge to the United Nations and the authority of its Security Council.

Having ignored the 29 October 1997 statement by the President of the Security Council, Iraq has further aggravated the current crisis. Due to the intransigent position of the Iraqi authorities, the Special Commission has been prevented from discharging its responsibility under Security Council resolutions.

Along with others, the Polish delegation remains extremely concerned at the successive incidents involving Iraqi discrimination against some of the United Nations personnel on the grounds of their nationality. We are equally concerned at the instances of Iraqi interference in the effective operation of the monitoring system, including the removal of dual-use equipment from the view of UNSCOM surveillance cameras, as well as at the Iraqi demand that the aircraft operating on behalf of the Special Commission be withdrawn from use, with the accompanying implicit threat to its safety.

Numerous appeals made by Member States to reverse the course taken by the Government of Iraq have remained unheeded.

In view of the seriousness of the situation and the potential escalation of the crisis, we supported the initiative of the Secretary-General to send his high-level mission to Baghdad to convey to the Iraqi authorities the clear and unambiguous message that Iraq must return immediately to full compliance with all relevant Security Council resolutions. Regrettably, that mission did not reach its intended and much desired objective.

In its resolutions 1115 (1997) and 1134 (1997), the Council expressed and reaffirmed its firm intention to adopt additional measures, in case of Iraqi failure to fully cooperate with UNSCOM, to ensure unconditional compliance by Iraq with its obligations in this regard.

Today, faced with the unchanging position of Iraq, the Council cannot but follow unanimously and decisively the logic of its earlier decisions.

The draft resolution before us reiterates the Council's demands concerning the full and unconditional cooperation of Iraq with the Special Commission. It reflects the determination of the Council to ensure that the Special Commission continues its progress towards the elimination of Iraqi programmes of weapons of mass destruction, as well as the Council's commitment to see the completion of the UNSCOM mandate.

We express our earnest hope that the present draft resolution will yet again remind the Government of Iraq that its full cooperation with UNSCOM is one of the basic conditions which must be fulfilled for the process of the lifting of sanctions to begin. Poland, for its part, would certainly welcome the attainment of such an outcome as quickly as possible.

That is why Poland supports the draft resolution before the Council.

Mr. Larraín (Chile) (*interpretation from Spanish*): We regret that it has been necessary to meet today in this Chamber, but this is dictated by the fact that the Government of Iraq not only is not complying with the relevant resolutions of the Security Council, but is also actually defying them. This is inadmissible.

On 29 October the Government of Iraq took the decision to impose conditions on its cooperation with the United Nations Special Commission (UNSCOM). On that same day, the Security Council reacted by condemning that decision and demanding that Iraq cooperate fully in the discharge of UNSCOM's mandate. However, that was not enough, and we have witnessed Iraq's continued obstruction of the work of the Special Commission.

Let us recall that UNSCOM has a mandate from the Security Council — that is to say, from the international community — to ensure that Iraq's weapons of mass destruction are eliminated. That mandate imposes an inescapable obligation on Iraq. Regrettably, Iraq has hindered the fulfilment of that mandate, and we now find ourselves compelled to respond with a new Security Council resolution.

It is very important to bear in mind that this draft resolution has behind it the full weight of the Council, which is acting unanimously. The Government of Iraq must understand the clear message that is being sent to it by the international community through this draft resolution.

We should like nothing better than to see this difficult situation created by the Iraqi authorities resolved. This will be possible only to the extent that the Government of Iraq fully complies with the relevant resolutions of this Council.

We wish to reaffirm once again our support for the Special Commission in its effort to fulfil the mandate entrusted to it by the Security Council. In this context, we would remind the Government of Iraq of its responsibility in connection with the security of the personnel of the Special Commission, which includes nationals of my country.

Lastly, my delegation would like to place on record today our particular appreciation to the Secretary-General for the initiative that he took at the beginning of this crisis, once again honouring his commitment to peace.

Mr. Elaraby (Egypt) (*interpretation from Arabic*): The draft resolution to be voted on today reflects the rapid succession of events during the last two weeks, since the beginning of the current crisis.

Since the beginning of this crisis, Egypt has called for all possible efforts to be made to contain it through dialogue and diplomatic means. Egypt has also called for averting confrontation and escalation and any action that would affect the stability of that sensitive part of the world.

In this regard, I would like to pay tribute to the efforts and the important contacts made recently by the Secretary-General. I would like to express Egypt's appreciation for the valuable effort made by the high-level mission sent to Baghdad under the chairmanship of Ambassador Lakhdar Brahimi.

In addition, Egypt spared no effort in conducting contacts at all levels — at the highest levels — in Baghdad, in Cairo and here in New York. Up to the very last moment, we had hoped that all these efforts would be successful in defusing the crisis and in persuading Iraq to reverse its position, which would have negated the need to put the draft resolution before the Council today to the vote.

Egypt understands the feelings of despair and frustration of the ordinary people of Iraq because of their continued suffering, which results from the sanctions imposed on Iraq. There is not even a glimmer of hope that they will be lifted after the six and a half years

during which Iraq has been dealing with the United Nations Special Commission. While we recognize that its cooperation has not been ideal, it could be said that Iraq has gone a long way in that direction.

Nonetheless, we do not see wisdom in Iraq's insistence on its recent position with regard to the Special Commission. Nor do we see wisdom in its lack of responsiveness to the efforts we and other parties made to dissuade it from insisting on this position. We do not see wisdom in that position because it means squandering the achievements made on Iraq's long road of cooperation with the Special Commission over the past years. We do not see any wisdom in this position because the completion of the process of cooperation between Iraq and the Special Commission and of Iraq's compliance with the relevant resolutions of the Council is the means of lifting the sanctions imposed on Iraq and, therefore, the means of alleviating the suffering of our brothers, the Iraqi people.

On the other hand, the current crisis must be seen as a good opportunity to extract lessons. The Council must recognize this in its dealings with Iraq in the future. This should be in a manner that takes into account the concerns and suffering of the Iraqi people and the causes and ramifications of the feelings of frustration that lead to the taking of positions that, we hasten to reaffirm once again, are unacceptable to us. Such positions do not serve the interests of any party, including Iraq itself.

At yet another level, the Council should review the Special Commission's methods of work in order to ensure increased efficiency in carrying out its tasks as a subsidiary organ of the Council, within the context of the current dialogue taking place in the corridors of the United Nations on the need to reform all United Nations bodies in general. We are currently discussing reform and development in the General Assembly and in all other bodies, and we must do so here, too, so that we do not push Iraq, with its back to the wall, into believing that it has nothing to gain from its continued cooperation with the Commission and nothing to lose from a cessation of that cooperation.

At any rate, we share the conviction of many delegations, both members and non-members of the Council, regarding the necessity always to comply fully with constitutional provisions and legal standards by not depriving any State Member of the United Nations of the right to express its view before the Council, in accordance with Articles 31 and 32 of the Charter. This is the right of all States Members of the United Nations, especially if the question relates to sanctions imposed on that State under Chapter VII of the Charter. Such sanctions cause human suffering, as is well known.

In this context, I call upon the Council to take into very serious account the comments made by the Secretary-General in his talking points for his briefing of the members of the Council on 10 November with regard to the outcome of the mission of his envoys to Iraq:

(*spoke in English*)

> "Had Iraq agreed to return to full compliance, I would have had no hesitation to recommend to the Council that Iraq be granted a hearing by the Council in whatever format the Council might deem appropriate. I believe it is reasonable for any country being at the receiving end of United Nations sanctions to ask for such a hearing provided it strictly complies with the resolutions of the Council."

(*spoke in Arabic*)

The delegation of Egypt today finds itself in the very sensitive position of voting on a draft resolution that imposes any kind of sanctions on an Arab State. Indeed, we abstained in the voting on the draft resolution adopted by the Council last month as resolution 1134 (1997), which hinted at the imposition of some additional sanctions but did not go beyond that to their enforcement. But today we view the question from various angles. The delegation of Egypt participated in the consultations on the draft resolution. It proposed some amendments, including the addition of a paragraph on respect for the sovereignty and territorial integrity of both Kuwait and Iraq. Fortunately, the sponsors responded positively to that amendment. The consultations also resulted in the deletion of some formulations in the preliminary draft that implicitly threatened dire consequences and the use of various methods in dealing with Iraq. Despite our very difficult position, Iraq's lack of responsiveness to the many and intensive efforts we and many other States made up to the very last minute leaves us with no choice but to vote in favour of the draft resolution in the hope that Iraq will alter its position and resume its cooperation with the Special Commission in a manner that will ensure the lifting of the sanctions and an end to the suffering of the brotherly Iraqi people.

While we intend to vote in favour of the draft resolution, we would like to place on record here our understanding that the travel restrictions contained in the

draft resolution must not obstruct Egypt's discharge of its responsibilities as the host country of the headquarters of the League of Arab States. This involves facilitating the participation of the States members of the League in its meetings held in Cairo. This is a responsibility which Egypt has the honour to undertake in its capacity as the host country, under the Charter of the League of Arab States. We should like also to place on record, and very clearly, our conviction that the draft resolution contains nothing that could open the way to an escalation of the situation, to the use of force or to resort to a military option. We hope that dialogue and the use of diplomatic means will continue, that normal relations will be resumed between Iraq and the Special Commission and that the constructive and fruitful cooperation between them will be resumed in manner that will enable the Council to consider lifting the sanctions imposed on the Iraqi people.

Mr. Mahugu (Kenya): First of all, we would like to state that we find Iraq's decision to expel United Nations Special Commission (UNSCOM) personnel of one nationality totally unacceptable. Iraq must rescind that decision.

Immense efforts have been made by many to resolve this crisis, but to no avail. In this regard, my delegation warmly commends the Secretary-General, Mr. Kofi Annan, for his tremendous efforts, including his decision to send three special envoys to Baghdad in an attempt to defuse the situation. We feel that this was a timely and right decision that falls squarely within his mandate as Secretary-General. We, too, in this Council have an obligation to ensure that the situation gets our full attention and does not deteriorate further.

The draft resolution before us responding to this new situation is balanced and in our view sends a clear message to Iraq. We see it as an improvement on the initial draft, and it has in the main addressed our concerns. UNSCOM must be allowed to complete its work on the basis of the mandate given to it by the Security Council. We hope that the message will be heard.

We are disappointed that, despite the level of cooperation UNSCOM enjoyed and recorded in its latest comprehensive report [S/1997/774], we are confronted with the current level of tension, which must not be allowed to escalate any further. Today we are all united in accepting this draft resolution. What we would like to see, sooner rather than later, is a level of cooperation from Iraq's authorities that will allow the Council to review the sanctions imposed on Iraq. Such a review should provide a degree of hope to the people of Iraq. At the end of the day, they should be able to see light at the end of the tunnel.

In the meantime, Iraq, under a comprehensive sanctions regime, must comply with its resulting obligations substantively and in good faith. It is important that we all reject Iraq's decision of 29 October 1997, and Kenya will, therefore, support the draft resolution before us.

Mr. Cabral (Guinea-Bissau) (*interpretation from French*): On 3 April 1991, in resolution 687 (1991) the Security Council decided to establish a Special Commission which

> "shall carry out immediate on-site inspection of Iraq's biological, chemical and missile capabilities, based on Iraq's declarations and the designation of any additional locations by the Special Commission itself" [resolution 687 (1991), para. 9 (b) (i)]

That resolution is the legal and political framework which both defines and guides all the activities of the Special Commission, by clearly laying down its mandate and the obligations of the Iraqi authorities in the carrying out of this mission, decided upon by the Security Council on behalf of the international community.

Relations between the representatives of the Government of Iraq and the Special Commission have not always been in line with the spirit and the letter of the relevant Security Council resolutions. This is why the Security Council has always studied the successive reports of the Special Commission on the progress of its work with particular attention and has noted with concern the existence and persistence of certain difficulties, and even impediments to the execution of its mandate.

Many presidential statements and Security Council resolutions have recognized this state of affairs and expressed unambiguously the disapproval of the members of the Council with regard to the attitude and conduct of certain representatives of the Iraqi authorities, because in the Council's opinion they had departed from prior commitments and amounted to a serious failure to fulfil obligations. The Security Council has several times had to remind the Iraqi authorities how vital it was, as it still is, to cooperate fully with the Executive Chairman of the Special Commission and all the members of his team so as to facilitate their work and ensure that the purpose of the mission entrusted to them by the Security Council is

achieved in a satisfactory manner, because this is a precondition for the operation of the mechanisms provided for in resolution 687 (1991).

On 21 June 1997 the Security Council renewed its appeal and reiterated the principles underlying its action by adopting resolution 1115 (1997). Unfortunately, this did not have the desired results; it certainly did not lead to any change of attitude by the Iraqi authorities. Given the persistence of serious incidents, and faced with the need to shoulder its responsibilities with regard to not only the Special Commission, but all its personnel and the international community in general, the Security Council concluded after lengthy deliberations that further measures needed to be considered, measures which, by their coercive nature, could persuade the Iraqi authorities to respect their obligation to comply scrupulously with Security Council decisions by removing all the obstacles hampering the Special Commission or preventing it from carrying out its mandate. This was the thinking and purpose of resolution 1134 (1997).

The Security Council regarded as unacceptable the decision of the Iraqi authorities of 29 October, which challenges the operational capacity of the Special Commission and certain cardinal principles of the Charter of the United Nations, particularly Article 100. For several days, considerable efforts have been made to convince the Iraqi authorities of the need to rescind that decision, a decision which does not respect the established rules and, moreover, does nothing to further the interests of the Iraqi people. It is a decision whose possible consequences must be clear to all.

The Special Commission was set up by the Security Council and acts in its name. Therefore, the Council cannot tolerate disregard for its decisions or allow the Special Commission to be prevented from continuing its work to carry out its mandate.

In the view of my delegation, it should be possible to resolve the current crisis through dialogue without abandoning certain fundamental principles. The members of the Council have tried hard, and continue to try, to ensure that reason prevails, by favouring direct contact with the Iraqi authorities to reach a solution. The highly commendable initiative of the Secretary-General in sending three personal representatives to Baghdad and the bilateral approaches by many countries to Iraq are eloquent testimony to, and further evidence of, our desire to see the role accorded diplomacy further strengthened.

The aim of the Security Council is not and could not be to inflict further suffering on the Iraqi people, who have already been put through so much by so many years of hardship. But we are not responsible for this hardship. We are certainly very well aware of all the suffering of the Iraqi people. That is why the Security Council adopted resolution 986 (1995), in order to attest to its sensitivity to their sufferings and demonstrate its awareness of its responsibility to seek appropriate solutions.

But the international community cannot forget the reasons that compelled the Security Council to impose sanctions on Iraq in its name. All States have the obligation to comply with and respect the principles set out in the United Nations Charter, in particular that of non-aggression and non-occupation by force. What happened in Kuwait must never happen again. And I would add that it is our duty to persist in seeking to determine the fate of prisoners of war and persons who disappeared during the occupation of Kuwait, without forgetting the vital need to restore to Kuwait all its records and other illegally seized assets.

My delegation desires to see the creation of all the necessary conditions for the Special Commission to continue its work without difficulty or hindrance, with a team that should continue to be distinguished by its ability, impartiality and diversity of national origin, which are the basic, essential and inviolable criteria for any action carried out in the name of and on behalf of the United Nations. This is the goal of the draft resolution. Guinea-Bissau will support its adoption and assist in its implementation.

Mr. Dejammet (France) (*interpretation from French*): France regrets that Iraq did not wish to rescind its unacceptable decision to limit its cooperation with the Special Commission. We were among the first to express our disapproval of this decision, which violates resolutions of the Security Council. We very quickly agreed to a strong, unanimous statement by the President of the Council condemning Iraq's attempt to dictate the conditions of its cooperation with the Special Commission and demanding total cooperation from Iraq. In the days that followed, the Ministers for Foreign Affairs of France and Russia recalled, in a joint statement dated 1 November, that resolutions of the Security Council are mandatory for all States and must be fully implemented. No discrimination with regard to any Member State can

be tolerated. We must remain firm on this principle, which is in keeping with the Charter of the United Nations.

Persistent diplomatic efforts were made to seek a way to end the crisis. From the start, France supported the initiative of the Secretary-General to send a mission to Baghdad to persuade Iraqi leaders to reverse their decision. Here I would like to thank the Secretary-General for his courageous initiative, as well as the members of the mission, whose work was commendable, but unfortunately without success. We ourselves made repeated efforts in our discussions with the Iraqi authorities to convince them to rescind their decision. Until the last minute, we believed reason would prevail. Unfortunately, that was not the case.

So today we require a strong and unanimous reaction from the Security Council to send a clear signal to Baghdad. This reaction will not take place in a vacuum. Resolutions 1115 (1997) and 1134 (1997) have already urged Iraq to cooperate fully with the Special Commission. These words were not heeded, much to our regret.

The reaction of the Council that we will be expressing must, however, be balanced and commensurate with the realities of the situation. The nature of the sanctions — that is, travel restrictions — was already covered in resolutions 1115 (1997) and 1134 (1997). In fact, these sanctions will not worsen the situation of the Iraqi people, who are already sorely tried by seven years of economic embargo. The search for a peaceful solution to end the current crisis will in no way be hampered by the travel bans covered in the text we will be voting for. Bona fide diplomatic activities are authorized and do not, unlike other missions, require prior authorization of the Committee established under resolution 661 (1990).

The mechanism for lifting the sanctions is clearly spelt out: as soon as Iraq again complies with the Special Commission's right of access, sanctions will be lifted.

The Council's authority is maintained. The Council is still master of its judgements and future actions. That in particular is the thrust of paragraph 8. As was spelt out in the French-Russian joint declaration, we continue to advocate strongly that any action with regard to Iraq be considered and led strictly within the framework of the Security Council. The language of the draft for which we shall be voting has therefore been carefully weighed. It does not encourage or justify any escalation. In the coming days we must persevere in our active search for a diplomatic solution, and we must avoid any counter-productive attitude. We must bear in mind our basic goal: the continuation, under favourable conditions, of the work of the Special Commission on the ground. Nothing would be worse than to call into question the main strength of resolution 687 (1991) and United Nations relations with Iraq. The system of ongoing verification and monitoring cannot be suspended; the security of the region is at stake.

It is a good thing that the draft we will be voting on commands unanimity in the Council. For France, this was a very important condition, since we must in crisis situations maintain the unity of the Council. This consensus lends more weight and force to the message to be sent to Baghdad. The clear will of the authors of the draft resolution to take into account the views of all States members of the Council was decisive in this respect, and should be commended.

We still hope that this message will be heeded. We reiterate the urgent appeal we have constantly addressed to the Iraqi authorities for reason to prevail, urging them to rescind their decision and refrain from any action incompatible with Security Council resolutions.

Then, and only then, will it be possible to discuss their concerns regarding the working methods of the Special Commission and the manner in which it discharges its responsibilities. Then, and only then, can discussions be undertaken in a positive climate to explore prospects for resolving the crisis and to take into account the significant progress that has been made on the substance, notably in the nuclear and ballistic areas.

Only complete and effective cooperation with the Special Commission will make it possible to implement paragraph 22 of resolution 687 (1991) regarding the lifting of the embargo and to ensure the reintegration of Iraq into the international community. The Iraqi population is not responsible for the current situation, but it is suffering terribly. It is worth recalling the figures that appear in the United Nations Development Programme's annual *Human Development Report*. Over the past seven years, the average calorie intake has fallen by a third, infant mortality has increased by 124 per cent, and life expectancy has dropped from 65 to 57 years.

The exorbitant price paid by the Iraqi population cannot go on rising indefinitely, amidst general indifference. Only compliance by Iraq with its international obligations can put an end to this situation.

Mr. Park (Republic of Korea): My delegation finds it most unfortunate that the Council has to meet again today to deal with the issue at hand less than a month after the adoption of resolution 1134 (1997) on 23 October and the presidential statement of 29 October, following the Iraqi decision to seek to impose conditions on its cooperation with the United Nations Special Commission (UNSCOM). In the view of my delegation, it is particularly regrettable that another window of opportunity — provided by the Secretary-General through the dispatch of his three-envoy mission to Baghdad last week — was missed by Iraq as well.

The Republic of Korea has consistently hoped that Iraq, a country with a long history and old civilization, should be allowed to rejoin the international community as a normal and responsible member at an early date, so that the humanitarian sufferings of the Iraqi people could be brought to an end and Iraq could make its due share of contributions to world peace and prosperity. As we all know, the fundamental condition for normalizing Iraq's relationship with the international community through the lifting of sanctions lies in the faithful implementation of relevant Council resolutions by Iraq.

In that regard, although the latest report of UNSCOM noted some positive progress in the missile and nuclear areas, there still remain some ambiguities in other areas, including the biological area. Furthermore, by seeking to impose certain conditions on the manner UNSCOM discharges its responsibilities under relevant Council resolutions, Iraq has regrettably narrowed the path toward the normalization of its relationship with the international community.

Under these circumstances, my delegation demands that Iraq cooperate fully and unconditionally with UNSCOM, in accordance with the relevant resolutions, so that UNSCOM can, in turn, inform the Council of Iraq's full implementation of its obligations under the relevant Council resolutions as early as possible.

Although the draft resolution before the Council contains certain additional measures, such as travel restrictions, we rather wish to draw attention to paragraphs 6 and 7, which clearly delineate the exit out of the present deadlock. In a nutshell, my delegation strongly hopes that this draft resolution will be able to convey the unambiguous and united message of the Security Council to Iraq that it must rescind its decision of 29 October and cooperate fully and unconditionally with UNSCOM. This was the very same message that our esteemed Secretary-General tried to deliver to the Iraqi leader through his own intervention.

For these reasons, my delegation will vote in favour of the draft resolution before us.

The President (*interpretation from Chinese*): It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution contained in document S/1997/872. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Chile, China, Costa Rica, Egypt, France, Guinea-Bissau, Japan, Kenya, Poland, Portugal, Republic of Korea, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*interpretation from Chinese*): There were 15 votes in favour. The draft resolution has therefore been adopted unanimously as resolution 1137 (1997).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Richardson (United States of America): The Security Council has taken a very important action today in passing — unanimously — this resolution. This is the unambiguous message to the leaders of Iraq: the Security Council is united in its determination that Iraq must comply with the resolutions of the Council and that Iraq must reverse its decisions challenging the Council and the international community. It is not for Iraq to set the terms of its compliance; Iraq must simply comply. And, as this resolution demonstrates, there will be consequences for Iraq if it fails to do so.

Iraq's course of action must now be clear: to announce the reversal of its unacceptable decisions and pledge its full, immediate and unconditional compliance with the relevant Security Council resolutions.

Sadly, Iraq has been following a different path. The Deputy Prime Minister, since arriving in New York, has insisted that his primary goal is to get the sanctions on Iraq lifted. But he has learned today that the lifting of

sanctions must follow compliance, and not precede it. And he asserts that it is the sanctions, not Iraq, that are wrong. Iraq does not seem to understand that its objective can only be reached through full compliance.

Let us not forget that, after years of trying every trick to deceive the United Nations Special Commission (UNSCOM) inspectors, on 29 October Iraq sought to bar UNSCOM inspectors with American citizenship, out of the more than 20 nations represented in the organization. Then it blocked UNSCOM inspections, interfered with monitoring operations, and menaced UNSCOM reconnaissance aircraft. All of these actions are gross violations of Iraq's obligations under Security Council resolutions. And, as this resolution states, threaten international peace and security.

Iraq has failed in other areas mandated by the Council and it has given no sign that it will cease activities and policies intended to threaten its neighbours. Indeed, it gives every indication that it intends to continue to develop a dangerous arsenal of weapons of mass destruction. Which is what this is all about.

In 37 previous reviews of Iraq sanctions, the Security Council has concluded that Iraq has not met the simple conditions for lifting sanctions. The current crisis is not just more of the same at a higher volume. It is a violation of the United Nations Charter itself, as well as a categorical rejection of Council resolutions. And, in response, the Council has imposed the first new sanctions on Iraq since the Gulf War.

Because Iraq's obstructionist actions have been taken under orders of the highest authorities in Baghdad, the new sanctions target only Iraq's leaders, not its people. The Deputy Prime Minister arrived this week to lobby delegations that Iraq is too impoverished to face continued sanctions. The Council enacted resolutions 986 (1995) and 1111 (1997) to protect the Iraqi people from the Iraqi Government's insistence on guns instead of butter. The Iraqi regime waited a year before accepting the resolution and ever since has tried to manipulate its implementation. In September, the Council had to adopt resolution 1129 (1997) to make up for Iraq's refusal to sell oil under this programme.

The United States feels, just as does every member of this body, compassion for the Iraqi people and empathy for their plight. That is why the United Nations and the Sanctions Committee have gone to great lengths, battling Iraqi obstructionism at every step, to ensure the delivery of humanitarian assistance. That is why, thanks to the Sanctions Committee's efforts, implementation of resolution 1111 (1997) is moving forward. And that is why we are prepared to examine ways to further improve the delivery and effectiveness of humanitarian aid in the interest of the people of Iraq.

The United States looks forward to the day when the sanctions against Iraq can be lifted. It is not our desire to see Iraq, a land of past greatness which could be great again, permanently saddled with United Nations sanctions. But Iraq must first comply fully and unconditionally with the requirements of relevant Security Council resolutions. Iraq has known this all along. There is a light at the end of the tunnel and the Iraqi leaders control the switch.

Today we are here to get Iraq to reverse its decision to challenge UNSCOM. Neither the Secretary-General, nor his envoys nor the Security Council has been willing to negotiate Iraqi compliance with Council resolutions. Today's resolution marks our determination to continue to proceed together on a firm and united course. Iraq should heed today's message. Iraq must abandon its hope to escape its obligations through deception or defiance.

Today's resolution is a clear call for Iraqi compliance and a reaffirmation that the Council is willing to use the tools of the United Nations Charter to ensure compliance. Iraq should get that message.

Mr. Gomersall (United Kingdom): I would like first of all to read out a statement just made by the British Foreign Secretary, Mr. Robin Cook.

> "Today, the United Nations has responded to Saddam Hussein's provocation swiftly, strongly and unanimously. We have met his defiance with a tightening of sanctions. I hope Saddam will now return to his senses and let UNSCOM resume its work. If he does, and Iraq then complies with all the relevant United Nations resolutions, the process for lifting sanctions can be started. But as the resolution just passed has made clear, if he continues to defy the will of the United Nations, further measures will be taken. Saddam Hussein should be in no doubt that the Security Council is united and determined."

My Government is glad that the Council has unanimously delivered an unequivocal message to Iraq. There is no short cut to the lifting of sanctions. The

international community is determined that Iraq should comply fully with the Council's resolutions.

We are meeting today in the face of the latest and most serious challenge which we have faced from Saddam Hussein since the end of the Gulf War. At stake is the future of the Special Commission (UNSCOM), the body charged by the international community to rid Iraq of its illegal weapons of mass destruction. This body was established in resolution 687 (1991), whose acceptance by Iraq brought an end to the Gulf War. The Government of Iraq, through its unacceptable decision of 29 October, has tried to dictate to the United Nations the terms and conditions of how the Special Commission fulfils its mandate. All such conditions are totally unacceptable to my Government.

The successful completion of the work of the Special Commission is essential for maintaining regional and international peace and security. The latest report of the Special Commission makes clear that there is still much work to be done, especially in the chemical and biological weapons areas, before it can report that it has accomplished its task and the world is free from the threat posed by Iraqi weapons of mass destruction. It is therefore crucial that it be able to continue its work, without restrictions or conditions. We want UNSCOM to complete its task.

We welcomed the initiative of the Secretary-General and the efforts of others to persuade Iraq to reverse its decision of 29 October. We agreed to go the extra mile in the hope that Saddam Hussein would listen to reason. The Iraqi response was a flat "no" to the Secretary-General, his representatives and the Security Council. The Council has now acted unanimously to send a clear message to the Government of Iraq that it must comply fully and unconditionally with all relevant resolutions.

We have heard a lot of special pleading from Iraq on the damage caused by six and a half years of sanctions. I will not repeat the steps which we and other Governments have taken to alleviate the suffering of the Iraqi people. We will continue to see that resolutions 986 (1995) and 1111 (1997) are implemented as intended. But what we would ask Mr. Tariq Aziz: For whose purposes did Iraq invade Kuwait? For whose purposes did it unleash its weapons on its own people? For whose purposes has Iraq continued to obstruct the efforts of the Special Commission to draw an end to its investigation and destruction of Iraq's weapons of mass destruction?

It is clear that the humanitarian interests of the Iraqi people and their welfare have been subordinated to the misguided policies of the leadership and that it is these policies which are the fundamental problem. We therefore welcome the Council's endorsement today of the simple message that the only route to normalization for Iraq lies through the implementation of the Council's resolutions and that the Council will remain fully determined to achieve this.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): The Security Council has again been compelled to return to the consideration of the question of Iraq as a result of Baghdad's decision to introduce restrictions on the work of the United Nations Special Commission (UNSCOM), including prohibitions on the participation of American citizens in the work of its inspection teams and on flights of the Special Commission's U-2 aircraft.

We have consistently sought Iraq's full compliance with its obligations under the pertinent Security Council resolutions and we support the efforts made by the Special Commission to that end. The decision by Baghdad to place restrictions on the work of the Special Commission runs counter to the resolutions of the Security Council, the principles of the United Nations and the obligations of Iraq, and should be rescinded unconditionally.

Throughout recent days Russia has been working intensively in coordination with a number of other countries in order to de-escalate the situation around Iraq. Unfortunately, our diplomatic efforts — including those made in Baghdad and New York over the last 24 hours — were ineffective. Nor did the mission that was sent to Iraq by the Secretary-General of the United Nations with the support of the members of the Security Council achieve the desired result.

In this situation the Security Council has no other way out than to adopt concrete measures on the basis of the consensus already established in June this year in Security Council resolution 1115 (1997), which was confirmed today in the resolution we have just adopted.

However, we are convinced that any complications that arise, including the current complication, should be resolved exclusively by political means and strictly within the framework of the relevant resolutions of the Security Council. Any other approaches, particularly actions involving force or the threat of the use of force, could

nullify all our achievements so far in reaching a post-crisis settlement in the Persian Gulf and take us all a long way back from the goal, already coming within our reach, of eliminating the threat to peace and security in that region.

This consistent position was clearly set forth in the recent joint statements at the meeting of the Ministers for Foreign Affairs of Russia and France, and also during the Russia-China summit. This position is reflected in the resolution that has just been unanimously adopted by the Security Council.

The resolution puts into effect limited, well-adjusted measures to restrict foreign travel by Iraqi officials, the list of which will be further determined. Here, the restrictions automatically exempt all travel involving the discharge of diplomatic functions. The resolution is aimed not at punishing Iraq but at ensuring Baghdad's immediate return to unconditional cooperation with the Special Commission. All the humanitarian shipments to Iraq will continue. The resolution rules out the possibility of using the authority of the Security Council and the United Nations to justify any attempts to use force.

We sincerely hope that the resolution will be properly understood by the Iraqi leadership and that it will resume constructive interaction with the Special Commission. This will lead to the automatic rescission of the restrictions imposed on foreign travel. But the main thing is that it will open the way for the logical closure of the disarmament dossier in keeping with resolution 687 (1991), the lifting of sanctions and the easing of the plight of the Iraqi people. The members of the Security Council are acutely concerned about this. It is up to Iraq.

The resumption of the work of the Special Commission in Iraq at full capacity will make it possible specifically to look at ways to speed up its work in strict compliance with its mandate, so that this work can be carried out without artificial delays and the Security Council can objectively assess the progress made. Here the Council cannot and should not abdicate its responsibility for the full compliance of all of its disarmament resolutions on Iraq.

Russia is firmly convinced that Iraq should see the "light at the end of the tunnel", and if the switch is in the hands of the Iraqi Government then at least some electric current should pass along the wires.

The Council recently considered the comprehensive joint reports submitted by the Special Commission and the International Atomic Energy Agency (IAEA) on the significant work they have done to clarify the remaining blanks. The many inspections have confirmed that Iraq has no proscribed activities going on involving nuclear weapons, and the facilities and dual-use equipment are being reliably monitored. In this connection, the nuclear dossier can be deemed to be closed. The balance sheet is virtually completed on proscribed missiles. All capacity and components for the production of chemical weapons have been eliminated.

Such serious results cannot pass by without adequate evaluation by the Security Council. We intend to revert to this question immediately after the current crisis situation around Iraq has been resolved.

We again call upon Baghdad to resume its unconditional cooperation with the Special Commission. We are convinced that this would conform to the vital interests of Iraq and its people and to the goal of integrating Iraq into the international community insofar as it complies with the decisions of the Security Council.

The President *(interpretation from Chinese)*: I shall now make a statement in my capacity as representative of China.

China is very much concerned about current developments on the question of Iraq. We support the tireless efforts of the Secretary-General and the parties concerned for a proper solution to this problem. We have all along supported the United Nations Special Commission (UNSCOM) in the performance of its inspections as mandated by the relevant resolutions of the Security Council. In our view, the resolutions of the Security Council on Iraq should be implemented comprehensively and in earnest. China has made constructive efforts in this regard and has time and again called upon Iraq to resume its cooperation with the United Nations as soon as possible and to fully carry out its relevant obligations.

At the same time, we have always been of the view that Iraq's sovereignty, territorial integrity and legitimate concerns for its own security should be respected. The progress achieved by Iraq in the past few years in its cooperation with UNSCOM should receive an objective and fair assessment.

In our view, three feet of ice could not have been accumulated as a result of just one day's cold weather. The causes of the current crisis are multifaceted and

complex. The Security Council should hear the views of UNSCOM and Iraq on the question of inspections in order to make a fair and reasonable judgement on progress achieved in inspections. Problems that have come up in the course of inspections should be appropriately settled through dialogue and cooperation. We are opposed to the use or the threat of force or any actions that might further exacerbate tensions. We hope that the parties concerned will exercise restraint and find a proper solution to the problem through cooperation and dialogue and avoid the escalation of tensions. In particular, the occurrence of armed conflict must be avoided.

In our view, in order to achieve a solution to the problems, the most urgent task is to persevere in diplomatic efforts, to promote cooperation between Iraq and the Special Commission and not to complicate further the problem and increase the difficulty of resolving them.

We hope that resolution 1137 (1997) will be conducive to promoting an appropriate settlement of the problems. Therefore, with a view to advancing a proper solution to this question, we voted in favour of the resolution. At the same time, I also wish to point out that our vote in favour of the resolution does not imply any change in our position on the question of sanctions.

I now resume my functions as President of the Council.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 2.50 p.m.